HIGH COURT OF CHHATTISGARH AT BILASPUR
W. P. No. 1597 of 2004

Petitioner	:	K.L. Jain S/o Pratapchand Jain, Aged about 61 years, R/o L-234, Padnabhpur, District-Durg (CG)
	Versus	
Respondents	:1.	The Chhattisgarh Housing Board through its Competent Authority A statutory Body constituted under the relevant provisions of Chhattisgarh Griha Nirmaan Mandal Adhiniyam, 1972, having its office at Shankar Nagar, Raipur, Distt. Raipur (CG)
	2.	The Estate Officer, Competent Officer, Housing Board, Shankar Nagar, Raipur, Distt. Raipur (CG).

WRIT PETITION UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA

Single Bench Hon'ble Justice Shri **Satish K. Agnihotri**

Present: Mr. P. Diwakar, Senior Advocate with Mr. P.R. Patankar, Advocate for the petitioner.
Mr. Sanjay Patel, Advocate for the respondents.

ORDER

(Passed on this 4th day of May, 2007)

1. The petitioner has filed this petition impugning the order dated 13.5.2004 (Annexure P/10), whereby the Chhattisgarh Housing Board has demanded a sum of Rs. 31,041.58/- as due from him for purchase of the house under the Higher Purchase Agreement. The petitioner has further sought for calculation of the actual value of the house in question as per the circular dated 12.4.1985 passed by the Chief Engineer of the Housing Board.

2. After hearing learned counsel appearing for the parties, it was pointed out that there is a provision for alternative efficacious remedy of statutory appeal available to the petitioner as prescribed under Section 57 of the Chhattisgarh Griha Nirman Mandal Adhiniyam, 1972 (henceforth 'the Adhiniyam of 1972').

3. The petitioner is basically doubting the calculation made by the Housing Board. The petitioner may very well prefer an appeal before the State Government against the demand order dated 13.5.2004 (Annexure P/10) issued by the Chhattisgarh Housing Board. In view of the availability of more efficacious

remedy of appeal under Section 57 of the Adhiniyam of 1972, this petition is not maintainable.

4. The petition is accordingly dismissed as not maintainable. However, liberty is reserved to the petitioner to take appropriate steps under appropriate provisions of law as prescribed in the Adhiniyam of 1972. The order of this Court dated 29.6.2004, granting stay, shall remain in force for a period of three weeks from today. No order as to costs.

B/-

Sd/-
Satish K. Agnihotri
Judge